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**AMENDMENTS TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

1. (Previously Presented) A method of negotiating operating capabilities in a telecommunications system including at least one mobile station, the method comprising:

receiving a first list of operating capabilities for a first mobile station at a first node upstream of and associated with the first mobile station wherein the list is received prior to setting up a call with the mobile station,

storing the operating capabilities for the first mobile station at the first node,

receiving a second list of operating capabilities for a second mobile station at a second node upstream of and associated with the second mobile station wherein the list is received prior to setting up the call with the second mobile station,

storing the operating capabilities for the second mobile station at the second node,

comparing the second list to the first list such that the negotiation of agreed upon operating capabilities take place between the first node and the second node.

2. (Previously Presented) The method as described in claim 1, wherein the receiving includes: receiving the first list of operating capabilities from the first mobile station via a location update message.

3.-6. (Canceled)

7. (Previously Presented) The method as claimed in claim 1, further comprising:

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selecting the agreed-upon operating capabilities based on operating capabilities that are in common on both lists.

8. (Previously Presented) The method as claimed in claim 1, wherein the operating capabilities include codecs.

9. (Previously Presented) The method as claimed in claim 1, wherein the operating capabilities include security algorithms.

10. (Canceled).

11. (Previously Presented) The method as claimed in claim 1, wherein the first node is any one of a MSC, a VLR, a HLR or a GMSC.

12. (Previously Presented) The method as claimed in claim 1, wherein the second node is a MSC, a VLR, a HLR or a GMSC.

13.-36. (Canceled)

37. (Previously Presented) A method for communicating device operating capabilities between a first mobile station and a second mobile station, wherein the first mobile station is served by a first switch node, wherein the first switch node is associated with a storage means, the method comprising:

receiving data indicating the device operating capabilities associated with the first mobile station, wherein the data is communicated without establishing a call connection between the first mobile station and the first switch node;

storing the communicated data within the storage means;

receiving a call setup message from the first mobile station to establish an outgoing call connection towards the second mobile station;

retrieving the stored data within the storage means; and

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including the retrieved data within the outgoing call setup message to allow the data to be reviewed by a second switch node serving the second mobile station for device compatibility so that negotiation of operating capabilities take place between the first switch node and the second switch node.

38. (Previously Presented) The method of claim 37 wherein the storing is performed by a Visitor Location Register (VLR).

39. (Previously Presented) The method of claim 37 wherein the reviewing by the second switch is performed by a Gateway Mobile Switching Center (GMSC) serving the second mobile station.

40. (Previously Presented) The method of claim 37 wherein the reviewing by the second switch is performed by a Mobile Switching Center (MSC) serving the second mobile station.

41. (Previously Presented) The method of claim 37 wherein the communicating data indicating the device operating capabilities is performed by the first mobile station during a location update procedure.

42. (Previously Presented) The method of claim 37 wherein the outgoing call setup message is an Initial Address Message.

43. (Previously Presented) The method of claim 37 wherein the operating capabilities include Codec capabilities.

44. (Previously Presented) A communications node, the node comprising:  
a means for receiving data from a first mobile station, wherein the data indicates device operating capabilities associated with the first mobile station, wherein the data is communicated without establishing a call connection between the first mobile station and a first switch node;

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a means for storing the communicated data;

a means for receiving a call setup message from the first mobile station to establish an outgoing call connection towards a second mobile station;

a means for retrieving the stored data; and

a means for including the retrieved data within an outgoing call setup message to allow the data to be reviewed by a second switch node serving the second mobile station for device compatibility so that negotiation of operating capabilities take place between the first switch node and the second switch node.

45. (Previously Presented) The method of claim 44 wherein the means for storing is performed by a Visitor Location Register (VLR).

46. (Previously Presented) The method of claim 44 wherein the second switch node is a Gateway Mobile Switching Center (GMSC) serving the second mobile station.

47. (Previously Presented) The method of claim 44 wherein the second switch node is a Mobile Switching Center (MSC) serving the second mobile station.

48. (Previously Presented) The method of claim 44 wherein the means for communicating data is instructions for a location update procedure.

49. (Previously Presented) The method of claim 44 wherein the outgoing call setup message is an Initial Address Message.

50. (Previously Presented) The method of claim 44 wherein the operating capabilities include Codec capabilities.